

VLADECK, RASKIN & CLARK, P.C.

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April 12, 2022

Hon. Sidney H. Stein  
United States District Court Judge  
United States District Court for the SDNY  
500 Pearl Street  
New York, New York 10007

Re: *United States v. Roger Clark*, 15 Cr 866 (SHS)

Dear Judge Stein:

I write concerning the Court's Order of April 5, 2022 directing a hearing in the above captioned matter now rescheduled for April 28, 2022 at 2:30 p.m. I understand that the Court has directed me to appear and write to advise of two issues related to my appearance. The first issue is a potential scheduling conflict. I was previously scheduled to appear that day at 3:00 p.m. before Judge Crotty on another matter. Second, as I understand that since I was appointed by Judge Nathan this matter has been reassigned to Your Honor and there were matters discussed on the record when I appeared before Judge Nathan about which this Court should be aware.

On the date of my appointment the defendant Mr. Clark was advised by Judge Nathan of the parameters of my appointment. Mr. Clark was advised that I was appointed pursuant to the CJA to advise him on the wisdom of his request to proceed *pro se* and the opportunity to have Court appointed counsel represent him at sentencing and also the need for stand by counsel if he was committed to and permitted by the Court to proceed *pro se*. Mr. Clark was advised that his decision was not a choice between me and Ms. Carvlin as his lawyer going forward, but instead that if Ms. Carvlin were relieved as counsel, an entirely new CJA attorney would be appointed to represent him.

My CJA appointment was made clear to Mr. Clark that I was appointed as independent counsel to aid him in understanding the issues presented by his request to proceed *pro se* and the potential conflicts that are likely to arise if he proceeds with Ms. Carvlin as court appointed counsel in any capacity. It is with that understanding and pursuant to that direction that I counseled Mr. Clark. My limited appointment was clear and done in order to avoid any additional conflict. (Ms. Carvlin raised independent issues at that hearing concerning a potential conflict if her representation continued and I discussed those issues with Mr. Clark, as well.)

I thought it important to clarify the record and to bring the scope of the prior hearing to the Court's attention in advance of the April 28<sup>th</sup> hearing before Your Honor after reviewing the docket in this matter.

Respectfully,

*/s/ Susan J. Walsh*  
Susan J. Walsh

cc: Stephanie Carvlin, Esq. (By Email and ECF)  
Michael Neff, AUSA (By Email and ECF)  
Roger Clark (By First Class Mail)